

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars.

1. Interview of January 26, 2010

The applicant is appreciative of the opportunity to discuss the pending application with the examiner on January 26, 2010. During the interview, the subject matter of the pending claims and U.S. patent no. 2,749,816 (*Jewell*) and U.S. patent no. 4,364,737 (*Sowden*) were discussed.

With respect to claim 1, amendments were discussed to clarify that the quire is formed before folding/at least partly rolling up the quire. Accordingly, claim 1 is amended herein to positively recite a first step of providing a quire formed of folded sheets slipped into each other, and a second step of at least partly rolling up the quire along the folding edge of the quire.

With respect to claim 10, possible amendments to the claim were discussed to recite features shown in Figs. 10 and 11 of the pending application. The examiner indicated that additional structural recitations could be helpful to distinguish the claim from the *Jewell* patent, but that any amendments would require additional search and consideration. Accordingly, claim 10 is amended herein to recite additional structural features that are not shown in the *Jewell* patent.

2. In the claims

As shown in the foregoing LIST OF CURRENT CLAIMS, the claims have been amended to more clearly point out the subject matter for which protection is sought.

Claim 1 is amended to positively recite a first step of providing a quire formed of folded sheets slipped into each other, and a second step of at least partly rolling up the quire along the folding edge of the quire. It is respectfully submitted that no new matter is added, since support for the amendments may be found, for example, at least in Fig. 10

of the pending application and, for example, at least on page 4, line 25 through page 5, line 4, page 6, lines 14-19, and page 7, lines 5-10 of the accompanying description in the specification as originally filed.

Claim 10 is amended to further define the bowed portion of the table, and to include and further define features of previously presented dependent claims 13 and 14. It is respectfully submitted that no new matter is added, since the amendment merely merges the subject matter of previously presented claims, and support for the amendments may be found, for example, at least in Fig. 10 of the pending application and, for example, at least on page 5, lines 4-5, and page 6, lines 14-19 of the accompanying description in the specification as originally filed.

Claims 13 and 14 are canceled and the features thereof added to amended claim 10.

Claims 2-6, 8-9, 11, 12, and 15 are left unchanged.

Entry of the LIST OF CURRENT CLAIMS is respectfully requested in the next Office communication.

3. Rejection of claims 1-9 under 35 U.S.C. § 102(b) as being anticipated by U.S. patent no. 4,364,737 (Sowden)

Reconsideration of this rejection is respectfully requested, in view of the amendments to claim 1, on the basis that the *Sowden* patent fails to disclose each and every recited step of amended claim 1. The remaining claims 2-6, 8, and 9 depend from claim 1, and are therefore patentable as containing all of the recited features of claim 1, as well as for their respective recited features.

By way of review, the method recited in amended claim 1 is a method for binding a quire formed of folded sheets slipped into each other. At least one cut through the sheets of the quire is provided at a short distance from the folding edge of the quire. The

method also includes providing the quire first, and then subsequently at least partly rolling up the quire before the cut is provided near the folding edge.

The features of the *Sowden* patent are discussed in detail in the response filed July 6, 2009. Specifically, the *Sowden* patent discloses placing loose sheets 21, 22 on top of each other (without having a quire) and inserting the sheets into the device of the *Sowden* patent. As the sheets are inserted into the device, the corners of the sheets are then folded over by the wire guides 10, 11.

Thus, in contrast to amended claim 1, the *Sowden* patent discloses only folding over the corner of the sheets, and not a quire formed of folded sheets slipped into each other being at least partly rolled up. The difference can clearly be seen in Figs. 4-7, 10, and 11 of the pending application, where the sheets are successively individually folded and retain one or more folded sheets therein, in contrast to Figs. 1 and 2 of the *Sowden* patent, which clearly disclose only the corners of the sheets being folded over, with no quire being present.

Accordingly, it is respectfully submitted that the *Sowden* patent fails to disclose at least providing the quire first, and then subsequently at least partly rolling up the quire before the cut is provided near the folding edge, as is required by amended claim 1.

Therefore, withdrawal of this rejection is kindly requested.

As mentioned above, applicant submits that independent claim 1 is patentable and therefore, claims 2-6, 8, and 9, which depend from claim 1, are also considered to be patentable as containing all of the features of claim 1, as well as for their respective recited features.

4. Rejection of claims 10-14 under 35 U.S.C. § 102(b) as being anticipated by U.S. patent no. 2,749,816 (*Jewell*)

Reconsideration of this rejection is respectfully requested, in view of the amendments to claim 10, on the basis that the *Jewell* patent fails to disclose each and

every recited element of amended claim 10. The remaining claims 11, 12, and 15 depend from claim 10, and are therefore patentable as containing all of the recited features of claim 10, as well as for their respective recited features.

By way of review, amended claim 10 now recites a device for binding a quire, including a table and at least one cutting means arranged to enable the making of at least one cut in the different sheets of the quire to form a lip. The table includes a bowed portion beginning at a position directly adjacent to a recess having a shape corresponding to the contour form of the cut to be formed, such that the sheets of the quire are at least partly rolled up when placed on the table in a position to be cut. Further, a generally U-shaped stop is placed within the bowed portion and is configured to receive a folded edge of the quire therein when the quire is placed on the table in a position to be cut.

Turning to the *Jewell* patent, it is respectfully submitted that the *Jewell* patent fails to disclose at least 1) a bowed portion beginning at a position directly adjacent to a recess, and 2) a generally U-shaped stop placed within the bowed portion and configured to receive a folded edge of a quire therein, all as required by amended claim 10.

The *Jewell* patent discloses a paper fastening device having a frame member 10 formed from a single strip of metal bent through substantially 90 degrees at four points between its ends (col. 2, lines 24-27). While the frame member 10 does include a hole 26B to allow paper to be punched, the first bend (positioned to the left side of the hole 26B), even if considered to be a bowed portion, is spaced from the hole 26B. This is in contrast to amended claim 10, which requires a bowed portion beginning at a position directly adjacent to a recess.

Further, there is no generally U-shaped stop disclosed in the *Jewell* patent, and in particular, there is no generally U-shaped stop placed within a bowed portion and configured to receive a folded edge of a quire therein, all as required by amended claim 10.

Accordingly, it is respectfully submitted that the *Jewell* patent fails to disclose at least 1) a bowed portion beginning at a position directly adjacent to a recess, and 2) a generally U-shaped stop placed within the bowed portion and configured to receive a folded edge of a quire therein, all as required by amended claim 10.

Therefore, withdrawal of this rejection is kindly requested.

As mentioned above, applicant submits that independent claim 10 is patentable and therefore, claims 11, 12, and 15, which depend from claim 10, are also considered to be patentable as containing all of the features of claim 10, as well as for their respective recited features.

5. Conclusion

As a result of the amendment to the claims, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that every pending claim in the present application be allowed and the application be passed to issue.

Please charge any additional fees required or credit any overpayments in connection with this paper to Deposit Account No. 02-0200.

If any issues remain that may be resolved by a telephone or facsimile communication with the applicant's attorney, the examiner is invited to contact the undersigned at the numbers shown below.

BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314-1176
Phone: (703) 683-0500
Facsimile: (703) 683-1080

Date: February 25, 2010

Respectfully submitted,

/Patrick M. Buechner/

PATRICK M. BUECHNER
Attorney for Applicant
Registration No. 57,504